

**SENATE ENVIRONMENT, CONSERVATION & TOURISM AMENDMENT NO. 1**

**Amendment No. 1 to SB1189**

**Ramsey**  
**Signature of Sponsor**

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____
_____

**AMEND Senate Bill No. 1189**

**House Bill No. 518\***

by adding the following new language at the end of the amendatory language of Section 4 of the printed bill:

Notwithstanding any provision of law to the contrary, in an emergency situation a farmland owner, lessee or designee may take an elk found within a "no elk zone" when he or she reasonably believes the elk is causing or has caused damage to his or her property. In non-emergency situations, the farmland owner, lessee or designee shall first provide the agency an opportunity to relocate the elk. The "no elk zone" shall be defined by the commission.

AND FURTHER AMEND by deleting Section 5 of the printed bill in its entirety and by substituting instead the following language:

SECTION 5. Tennessee Code Annotated, Section 70-4-403(3)(P) is amended by adding the following language between the word "deer" and the punctuation and word "; and":

and except wild elk. Elk originating from a legal source while held in captivity for the purpose of farming shall be regarded as Class III Wildlife. All other elk shall be wild elk and shall be regarded as Class II Wildlife. No person shall possess elk in captivity within the Eastern Grand Division of the State as defined in Section 4-1-202 without having documentary evidence indicating the origin of the elk being held. This documentary evidence will be presented to the agents of the department of agriculture or the wildlife resource agency upon request. Sale documentation of off-spring of purchased elk is not required